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Note verbale dated 28 December 2009 from the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General

The Permanent Mission of Turkey to the United Nations presents its compliments to the Executive Office of the Secretary-General of the United Nations and has the honour to request the circulation of the enclosed letter addressed to His Excellency Ban Ki-moon, Secretary-General of the United Nations, pursuant to paragraph 15 of Security Council resolution 1846 (2008), as a document of the Security Council.

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Annex to the note verbale dated 28 December 2009 from the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General

Pursuant to paragraph 16 of United Nations Security Council resolution 1846 (2008), please find below information on the progress of actions taken by Turkey, under the authorization given by paragraph 10 of the same resolution, in cooperation with the Transitional Federal Government of Somalia in combating piracy and armed robbery off the coast of Somalia.

Being among those countries suffering from this scourge, Turkey deplores and condemns these acts. Thus far, four vessels owned by Turkish citizens and with Turkish crews have been kidnapped and held hostage by pirates. Several other Turkish vessels have survived pirate attacks.

From the onset, Turkey, fully recognizing the need for a robust international cooperation and coordination to cope with this multidimensional and complex issue, has actively supported and contributed to the counter-piracy efforts exerted by NATO, the European Union, the United Nations and the International Maritime Organization (IMO).

Thus far, Turkey, with four frigates, has taken part in efforts to repress these acts. First, Turkey participated in the NATO naval task force (Standing NATO Maritime Group 2 (SNMG-2)) with a frigate, which provided escort and protection to ships chartered by the World Food Programme (WFP) sailing in the region. This operation ended on 12 December 2008. Turkey then joined efforts to repress acts of piracy and armed robbery at sea, which were conducted under the Combined Task Force-151 (CTF-151) commanded by Turkish Naval Forces, from May through August 2009. Today a Turkish frigate with air assets is operating in the region pursuant to the provisions of Security Council resolutions. To date, the Turkish naval elements in the region have apprehended some 30 piracy suspects in various operations.

Turkey, as a founding member, took part in the meetings of the Contact Group on Piracy off the Coast of Somalia, which was established on 14 January 2009. Turkey also participated in the working groups established under the framework of the Contact Group and actively contributed to their deliberations.

Turkey requested the consent of the Transitional Federal Government of Somalia, which would enable Turkish naval elements to enter the territorial waters of Somalia for the purpose of repressing acts of piracy and armed robbery at sea, as stipulated by the Security Council in its resolution 1846 (2008), paragraphs 10 (a) and (b). The consent was granted on 13 January 2009, and the Permanent Mission of Somalia submitted the required advance notification to the Secretary-General of the United Nations to that effect.

The Turkish Maritime Authorities are actively seized of the issue of strengthening situation-awareness for commercial ships and other capabilities. For that purpose a document entitled "Best management practices to deter piracy" has been widely circulated within the industry. The National Maritime Armed Robbery Information System has also been initiated.

The increase in the number of pirate attacks in 2009, despite all efforts of the international community, indicates that satisfactory deterrence has not been fully

achieved. One of the main factors is undoubtedly the lack of capacity to detain and punish the perpetrators that are apprehended. In order to sustain the success of the ongoing operations, legal options for the effective prosecution of suspected pirates should be explored. Hence, Turkey believes that it would be useful if a mechanism is put in place in one of the countries of the region, under the supervision of the United Nations, to effectively prosecute persons suspected of piracy and armed robbery at sea off the coast of Somalia. This would no doubt require the support of the international community for the enhancement of the capacity in the States in the region. Turkey believes that the newly established trust fund can be utilized in this regard.

(*Signed*) Ertuğrul **Apakan**
Permanent Representative